

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

November 4, 1981  
3:00 P.M.

Council Chambers  
301 West Second Street

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The meeting was called to order with Mayor McClellan presiding.

Roll Call:

Present: Mayor McClellan, Councilmembers Duncan, Mullen, Goodman  
Absent: Mayor Pro Tem Trevino, Councilmembers Urdy, Deuser

Councilmembers Urdy and Deuser entered the Council Chamber at 3:10 p.m.

Mayor Pro Tem Trevino entered the Council Chamber at 3:20 p.m.

CONSENT RESOLUTIONS

The Council, on Councilmember Mullen's motion, Councilmember Goodman's second, adopted the following resolutions in one consent motion: (6-0 Vote, Mayor Pro Tem Trevino not present at time of voting.)

LATER IN THE DAY:

Motion to Reconsider

Councilmember Deuser made a motion, seconded by the Mayor to reconsider the resolutions taken in the consent motion in order to change the time of the hearing on an appeal concerning the Rainey Area Neighborhood from November 19, 1981 at 7:30 p.m., to November 12, 1981 at 5:30 p.m. Approval was unanimous.

EMINENT DOMAIN PROCEEDINGS

Councilmember Mullen moved that the Council adopt a resolution authorizing eminent domain proceedings to acquire the following tract of land for the East Riverside Drive Street Improvement Project: 86 square feet of land out of that certain 0.37 of one acre tract of land out of the Santiago Del Valle Grant. (Abelardo Pacheco, et ux Manuela, owners) The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Duncan, Goodman, Mullen, Urdy, Mayor McClellan,  
Mayor Pro Tem Trevino, Councilmember Deuser  
Noes: None

EASEMENT RELEASE

Councilmember Mullen moved that the Council adopt a resolution authorizing release of the following easement:

A portion of a 7.5' public utility easement on Lot 1, Barton Market Square. (Requested by Billy F. Priest Surveyors, Inc., representing Mr. Ken Carr)

The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Duncan, Goodman, Mullen, Urdy, Mayor McClellan,  
Mayor Pro Tem Trevino, Councilmember Deuser  
Noes: None

LICENSE AGREEMENTS

Councilmember Mullen moved that the Council adopt a resolution entering into the following license agreement:

License agreement for a golf cart underpass crossing Rain Creek Parkway right-of-way with Great Hills. (Requested by Great Hills)

The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Duncan, Goodman, Mullen, Urdy, Mayor McClellan, Mayor Pro Tem Trevino, Councilmember Deuser  
Noes: None

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Councilmember Mullen moved that the Council adopt a resolution entering into the following license agreement:

License agreement for a private 6-inch PVC water line (gravity flow) located in the drainage and public utility easement between Lots 65 and 66, Block A, at the rear of lots 43 thru 52, Block A, Great Hills X and crossing Sausalito Drive right-of-way. (Requested by Great Hills)

The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Duncan, Goodman, Mullen, Urdy, Mayor McClellan, Mayor Pro Tem Trevino, Councilmember Deuser  
Noes: None

CAPITAL IMPROVEMENTS PROGRAM

Councilmember Mullen moved that the Council adopt a resolution acquiring certain land for the East Riverside Drive Project, Wickersham to East Ben White. CAPITAL IMPROVEMENTS PROGRAM NO. 73/62-03: 290 square feet of land, same being out of and a part of Lot A, resubdivision of Lots 25 thru 28, Block 8, C.L. Angell Subdivision. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Duncan, Goodman, Mullen, Urdy, Mayor McClellan, Mayor Pro Tem Trevino, Councilmember Deuser  
Noes: None

Councilmember Mullen moved that the Council adopt a resolution acquiring certain land for the East Riverside Drive Project, Wickersham to East Ben White. CAPITAL IMPROVEMENTS PROGRAM NO. 73/62-03: 1.038 acres of land, same being out of and a part of certain 106.689 acre tract out of the Santiago Del Valle Grant. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Duncan, Goodman, Mullen, Urdy, Mayor McClellan,  
Mayor Pro Tem Trevino, Councilmember Deuser  
Noes: None

CONTRACTS APPROVED

Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

INDUSTRIALLEASE CORPORATION  
3000 Marcus Avenue  
Lake Success, New York

- Leasing of five (5) Corometrics  
Fetal Monitors for Labor and  
Delivery Department of Brackenridge  
Hospital.  
Item 1 - \$1,274.66/mo. for 36 months  
Total\$45,888.00

The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Duncan, Goodman, Mullen, Urdy, Mayor McClellan,  
Mayor Pro Tem Trevino, Councilmember Deuser  
Noes: None

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Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

GILBERT X-RAY  
624 Hall Street  
Dallas, Texas

- Radiographic Table for Austin  
Travis County Health Department  
1 ea. @ \$6,800.00

The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Duncan, Goodman, Mullen, Urdy, Mayor McClellan,  
Mayor Pro Tem Trevino, Councilmember Deuser  
Noes: None

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Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

Bid award: - Repair Parts, technical service and other items necessary for the disassemblies, inspections and the repairs of turbines, Power Production Division, Electric Utility Department  
Estimated cost: \$295,000

(1) WESTINGHOUSE ELECTRIC COMPANY  
1455 W. Loop South 610  
Houston, Texas  
(Principal Contractor)

(2) Various other contractors for support and other items determined necessary.

The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Duncan, Goodman, Mullen, Urdy, Mayor McClellan,  
Mayor Pro Tem Trevino, Councilmember Deuser  
Noes: None

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Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

GENERAL ELECTRIC COMPANY - Single phase, substation transformers,  
1600 N.E. Loop 410 Electric Utility Department  
San Antonio, Texas Item 1, 4 ea. - \$37,372.00

The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Duncan, Goodman, Mullen, Urdy, Mayor McClellan,  
Mayor Pro Tem Trevino, Councilmember Deuser  
Noes: None

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Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

TRITON ENVIRONMENTAL EQUIPMENT CO. 7476 W. 81st Street Arvada, Colorado	- Emergency purchase of Anthracite Filter Material, Water & Wastewater Department Item 1 - \$32,950.00
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The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Duncan, Goodman, Mullen, Urdy, Mayor McClellan,  
Mayor Pro Tem Trevino, Councilmember Deuser  
Noes: None

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Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

I.B.M. CORPORATION 1609 Shoal Creek Boulevard Austin, Texas	- Central Processing Unit, Data System Department Item 1 - \$35,233.29/mo. (18 months) Estimated total \$634,201.20
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The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Duncan, Goodman, Mullen, Urdy, Mayor McClellan,  
Mayor Pro Tem Trevino, Councilmember Deuser  
Noes: None

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Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

HILDEBRAND AERIAL SURVEYS 9237 Jollyville Road Austin, Texas	- Vertical Aerial Photography, Tax Department Three (3) month contract Total: Not-to-exceed \$23,111.72
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The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Duncan, Goodman, Mullen, Urdy, Mayor McClellan,  
Mayor Pro Tem Trevino, Councilmember Deuser  
Noes: None

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PARKING METER ZONES

Councilmember Mullen moved that the Council adopt a resolution adding the following parking meter zones:

<u>METER TYPE</u>	<u>STREET</u>	<u>LOCATION</u>	<u>SIDE OF STREET</u>
120 minute	West 18th Street	500 block	north and south
60 minute	San Antonio Street	1800 block	east and west

The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Duncan, Goodman, Mullen, Urdy, Mayor McClellan, Mayor Pro Tem Trevino, Councilmember Deuser  
 Noes: None

ITEM POSTPONED

Councilmember Mullen moved that the Council postpone until November 12, 1981 action on a resolution to authorize reimbursement to any employee for the cost, not to exceed the rate set by the Texas State Board of Insurance, of obtaining non-owned vehicle liability coverage. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Duncan, Goodman, Mullen, Urdy, Mayor McClellan, Mayor Pro Tem Trevino, Councilmember Deuser  
 Noes: None

TERMINATION OF COVENANTS & RESTRICTIONS

Councilmember Mullen moved that the Council adopt a resolution authorizing execution of a Termination of Covenants and Restrictions in connection with Zoning Case No. C14-79-245. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Duncan, Goodman, Mullen, Urdy, Mayor McClellan, Mayor Pro Tem Trevino, Councilmember Deuser  
 Noes: None

Councilmember Mullen moved that the Council adopt a resolution authorizing execution of a Termination of Covenants and Restrictions in connection with Zoning Case No. C14-73-220. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Duncan, Goodman, Mullen, Urdy, Mayor McClellan,  
Mayor Pro Tem Trevino, Councilmember Deuser  
Noes: None

#### EXTENSION OF FAMILY PLANNING GRANT

Councilmember Mullen moved that the Council adopt a resolution authorizing submission of an extension application for Family Planning Grant in the amount of \$102,000 to the Departments of Health and Human Services for the period of March 1, 1982 through February 28, 1983. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Duncan, Goodman, Mullen, Urdy, Mayor McClellan,  
Mayor Pro Tem Trevino, Councilmember Deuser  
Noes: None

#### HUMANE SOCIETY IMPOUNDMENT SERVICES

Councilmember Mullen moved that the Council adopt a resolution authorizing a contract renewal with Humane Society of Austin-Travis County for impoundment services during the period of October 1, 1981 through March 31, 1982, at the rate of \$25,000 per month, not to exceed six months, less any fee collected. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Duncan, Goodman, Mullen, Urdy, Mayor McClellan,  
Mayor Pro Tem Trevino, Councilmember Deuser  
Noes: None

#### PUBLIC HEARINGS SET

Councilmember Mullen moved that the Council set a public hearing on an appeal from members of the North Hills Club Townhomes Association on the decision of the Planning Commission, Special Permit File/Case No. C14P-81-058 for December 3, 1981 at 5:30 p.m. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Duncan, Goodman, Mullen, Urdy, Mayor McClellan,  
Mayor Pro Tem Trevino, Councilmember Deuser  
Noes: None

F-14

AUSTIN-TRAVIS COUNTY HEALTH DEPARTMENT  
1313 Sabine Street  
Austin, Texas 78701

October 30, 1981

TO: Mr. Tom Muehlenbeck, Acting City Manager  
FROM: Albert G. Randall, M.D., Director  
SUBJECT: Title XX Family Planning Grant Application

Authority is requested for the City Council to allow the Austin-Travis County Health Department to submit an extension application for Family Planning Grant #06-H-000157-12, to the Department of Health and Human Services.

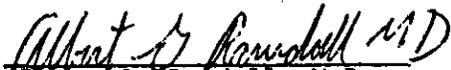
The agency has had a grant for the provision of Family Planning services to the community for the past eleven years. This request is for funds in the amount of \$102,000 of Title X funds to be used in conjunction with fees and contract services in the amount of \$115,700 and City supplies and in kind services in the amount of \$122,898 which services and activities are currently being provided in our on-going grant.

When the grant is approved by the Department of Health and Human Services, an additional request will be submitted to Council for approval. The current grant year is March 1, 1981 through February 28, 1982.

This grant request is for the period of March 1, 1982 through February 28, 1983, but has to be submitted at this time.

If Council authorizes this grant application, I will get the forms to you for the necessary signature.

Your approval and support of this request is anticipated.



Albert G. Randall, M.D.  
Director

AGR/nja

xc: Mr. Guymon Phillips  
Assistant City Manager

Councilmember Mullen moved that the Council set a public hearing on an appeal from the University Neighborhood and others, on the decision of the Planning Commission granting a Special Permit for the sale and use of alcoholic beverages on premises at 600 Martin L. King Blvd. for December 10, 1981 at 6:30 p.m. C14p-81-068. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Duncan, Goodman, Mullen, Urdy, Mayor McClellan,  
Mayor Pro Tem Trevino, Councilmember Deuser  
Noes: None

Councilmember Mullen moved that the Council set a public hearing on an appeal from Mr. Pete Martinez, president, Rainey Area Neighborhood Association, of the Planning Commission decision on a Special Permit, File/ Case No. C14p-81-065 for November 12, 1981 at 5:30 p.m. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Duncan, Goodman, Mullen, Urdy, Mayor McClellan,  
Mayor Pro Tem Trevino, Councilmember Deuser  
Noes: None

Councilmember Mullen moved that the Council set a public hearing on Zoning Case No. C14-81-220 on December 3, 1981 at 6:00 p.m. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Duncan, Goodman, Mullen, Urdy, Mayor McClellan,  
Mayor Pro Tem Trevino, Councilmember Deuser  
Noes: None

Councilmember Mullen moved that the Council set a public hearing on the Parks and Recreation Department Policy Master Plan, November 19, 1981 at 7:00 p.m. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Duncan, Goodman, Urdy, Mayor McClellan, Mullen,  
Mayor Pro Tem Trevino, Councilmember Deuser  
Noes: None

ANNOUNCEMENT

Mayor McClellan introduced to the Chamber audience Mr. Nicholas Meiszer who the Council has appointed as the new City Manager for Austin. She also asked Council to look at their December and January schedules and concerning whether or not to cancel Council meetings during the Christmas and New Year weeks.

CAPITAL IMPROVEMENTS PROGRAM

Mayor McClellan introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF IMPROVING PORTIONS OF WEBBERVILLE ROAD IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DEFINED, PERFORMED BY AUSTIN ROAD COMPANY; AUTHORIZING AND DIRECTING THE ISSUANCE OF SPECIAL ASSESSMENT CERTIFICATES TO THE CITY IN CONNECTION THEREWITH; DECLARING AN EMERGENCY; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE. (C.I.P. 73/62-32.)

Mayor Pro Tem Trevino moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy, Mayor McClellan  
Noes: None

The Mayor announced that the ordinance had been finally passed.

IMPOUNDMENT FEES

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 5, SECTION 28 OF THE AUSTIN CITY CODE BY CHANGING THE IMPOUNDMENT FEES; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Mayor Pro Tem Trevino moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy, Mayor McClellan  
Noes: None

The Mayor announced that the ordinance had been finally passed.

## SMOKE DETECTORS

Mayor McClellan brought up the following ordinance for its second reading:

AN ORDINANCE AMENDING CHAPTER 36 OF THE CODE OF THE CITY OF AUSTIN OF 1967 BY ADDING TO SECTION 36-1210(c) A NEW PARAGRAPH PERTAINING TO THE INSTALLATION OF SMOKE DETECTORS IN ALL EXISTING GROUP R-3 OCCUPANCIES; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

The ordinance was read the second time, and Mayor Pro Tem Trevino moved that the Council waive the requirement for the third reading, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Councilmembers Duncan, Goodman, Urdy,  
Mayor McClellan  
Noes: Councilmembers Deuser, Mullen

The Mayor announced that the ordinance had been finally passed.

## COUNCIL MEETING CHANGE

Mayor McClellan introduced the following ordinance:

AN ORDINANCE CANCELLING THE REGULAR CITY COUNCIL MEETING OF NOVEMBER 11, 1981; SCHEDULING A SPECIAL CALLED MEETING OF THE CITY COUNCIL ON NOVEMBER 12, 1981; RESCHEDULING THE REGULAR CITY COUNCIL MEETING OF NOVEMBER 12, 1981; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Mayor Pro Tem Trevino moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan, Goodman,  
Mullen, Urdy, Mayor McClellan  
Noes: None

The Mayor announced that the ordinance had been finally passed.

ORDINANCE AMENDED

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 800717-CC, ENACTED BY THE CITY COUNCIL ON THE 17TH DAY OF JULY, 1980, BY CORRECTING THE USE DESIGNATION OF THE PROPERTY ZONED BY SAID ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (C14-80-063)

Mayor Pro Tem Trevino moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy, Mayor McClellan  
Noes: None

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCES

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:  
LOT THREE (3), JOHN ORR SUBDIVISION, SAVE AND EXCEPT THE WESTERNMOST FORTY FIVE FEET (45') OF SAID LOT THREE, LOCALLY KNOWN AS 1904-1906 PEARL STREET, FROM "B" RESIDENCE, SECOND HEIGHT AND AREA DISTRICT TO "O-1" OFFICE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Mid-Texas Broadcasting, Inc. C14-81-102)

Mayor Pro Tem Trevino moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy, Mayor McClellan  
Noes: None

The Mayor announced that the ordinance had been finally passed.

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Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

0.2700 OF ONE ACRE OF LAND, LOCALLY KNOWN AS 6407 - 6513 BOLM ROAD, 800 - 934 ED BLUESTEIN BLVD., FROM INTERIM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Robert L. Lanford, et al, C14r-81-107)

Mayor Pro Tem Trevino moved that the Council waive the requirement for three readings, declare an emergency and finally passed the ordinance. The motion, seconded by Councilmember Duncan, carried by the following vote:

- Ayes: Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy, Mayor McClellan
- Noes: None

The Mayor announced that the ordinance had been finally passed.

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Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A TRACT OF LAND CONTAINING 4.89 ACRES, LOCALLY KNOWN AS 3108, 3114, 3200 AND 3210 MANCHACA ROAD, FROM INTERIM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "BB" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Rudolph Vanzura, C14-81-143)

Mayor Pro Tem Trevino moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Duncan, carried by the following vote:

- Ayes: Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy, Mayor McClellan
- Noes: None

The Mayor announced that the ordinance had been finally passed.

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Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 1.57 ACRE TRACT OF LAND, LOCALLY KNOWN AS 13716 U.S. 183 AND 10500-10504 HMEADOW DRIVE, FROM INTERIM "A" RESIDENCE FIRST HEIGHT AND AREA DISTRICT TO "O-1" OFFICE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, WILLIAMSON COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Jerry D. Holley & Austin A. Cooper, C14r-81-163)

Mayor Pro Tem Trevino moved that the Council waive the requirement for three readings, declare an emergency and finally passed the ordinance. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Councilmembers Duncan, Goodman, Mullen, Urdy, Mayor McClellan  
Noes: Councilmember Deuser

The Mayor announced that the ordinance had been finally passed.

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Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

5.941 ACRES OF LAND OUT OF THE JAMES O. IRVINE SURVEY NO. 122, LOCALLY KNOWN AS 9223 - 9233 BALCONES CLUB DRIVE AND 13316 - 13330 U.S. 183, FROM INTERIM "AA" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS AND WILLIAMSON COUNTIES, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Fairway Estates, Inc., C14r-81-049)

Mayor Pro Tem Trevino moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Councilmembers Duncan, Goodman, Deuser, Mullen, Urdy, Mayor McClellan  
Noes: None

The Mayor announced that the ordinance had been finally passed.

OPERATING BUDGET AMENDMENTS

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR THE FISCAL YEAR 1981-1982 BY APPROPRIATING \$3,127.00 FROM THE GENERAL FUND ENDING BALANCE FOR THE PURPOSE OF PROVIDING A FIVE PERCENT (5%) SALARY INCREASE FOR THE DEPUTY CITY MANAGER; SUSPENDING THE RULE REQUIRING ORDINANCES TO BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Mayor Pro Tem Trevino moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Councilmembers Duncan, Goodman, Deuser, Mullen, Urdy, Mayor McClellan  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR THE FISCAL YEAR 1981-1982 BY APPROPRIATING \$6,116.00 FROM THE GENERAL FUND ENDING BALANCE TO PROVIDE FOR SALARY AND FRINGE BENEFITS FOR THE NEW CITY MANAGER; SUSPENDING THE RULE REQUIRING ORDINANCES TO BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Mayor Pro Tem Trevino moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy, Mayor McClellan  
Noes: None

The Mayor announced that the ordinance had been finally passed.

## PUBLIC EVENT FACILITY

Mr. Ron Wood, Director, Auditorium Facilities, presented a report concerning Austin's Public Event Facility needs by use of slides.

Mr. Ed Badgett, Assistant City Manager, reported to Council that the facility should be a public-private venture and stated the following:

### PURPOSE

The purpose of this report is to seek City Council endorsement of a structured approach to the investigation of site and financing alternatives that are most advantageous to the development of public event facilities.

### BACKGROUND

The City of Austin has historically sought to provide basic facilities required to meet the civic and social needs of its residents. For more than a decade, successive City Councils and a broad cross-section of local groups have recognized that some of these needs are no longer being met; that, in order for the City to maintain its commitment to its residents, it must expand its public event facilities.

Staff, for several weeks, has been assaying cursorily ways to expand Austin's Public event facilities to meet better an escalating demand by the public for the use of event facilities. Indicators discovered during the assay encouraged the making of this request.

### DISCUSSION

#### PROGRAM APPROACH

Event facilities for the City may be provided by either the private sector or the public sector. More often, cities opt for a partnership with the private sector as the most efficient way to plan, finance, construct, and operate facilities that serve the mass need.

A partnership brings together the resources of government and the non-government sector while allowing each to perform those tasks that each performs best.

Thus, the approach recommended for use is the private-public venture or partnership. To be most effective, the partnership should be consummated as a step one activity with all partners participating in all phases of planning and decision-making.

### PROGRAM ORGANIZATION

A recommended organization structure is as shown on the following chart. Defined are three groups: the Decision-Making Group, the Working Group, and the Technical Assistance Group.

The decision-Making Group is comprised of the partners to the venture, the City Council and elements of the private sector. All members of the Partnership shall have bought into the investigation process through investment commitments.

The working Group is comprised of sub-groups of both of the partners. The function of this group is to lead the investigation process by receiving information and formulating that information into a series of recommendations to the Decision-Making Group. Recommendations would be made at pre-established points in the investigation process where "go" or "no go" decisions are required. The Decision-Making Group has built-in opportunities to alter the direction of the investigation process or to abort the process at any point deemed necessary.

The Technical Assistance Group includes City staff as required and purchased professional services. This, too, is where provision is made for participation by the general public, perhaps using a series of Take Part Community Work-shops. The work-shops provide a vehicle for everybody to participate and gives a good base for conceptual formulation. Products developed in this process are fed to the Working Group enabling them to pose their recommendations to the Decision-Making Group.

### PROGRAM CONTENT

One hundred fifty thousand dollars is sufficient to fund the investigation process which includes project management, workshops, site analyses, economic analyses, and work development (final reports).

Proposed is a one-third, two-thirds funding arrangement with one-third being provided by the public-sector contingent upon two-thirds having been raised by the private-sector.

The final product of this investigation process will be a scenario which will be supported by community consensus and will lead to the provision of needed public event facilities.

**REQUIRED ACTION**

Request that the City Council:

1. Endorse the Partnership concept as presented as the vehicle to investigate factors involved with the expansion of public event facilities; and
2. Direct the City Manager to implement those activities presented under "DISCUSSION".

After some discussion by Council they decided they want further input on this proposal and asked that it be brought back as a City Manager Report at the November 18/19 Council Meeting.

**NO ACTION TAKEN ON RESOLUTION**

The Council took no action on a resolution to consider authorization to pursue the recommendations regarding public event facilities.

**AIDE RECOGNIZED**

Ms. Shyra Darr, Council Aide to Councilmember Mullen, received a Distinguished Service Award for her service to the City as Councilmember Mullen's aide. Mayor McClellan read the award and Councilmember Mullen thanked Ms. Darr for her help. Ms. Darr accepted the award with thanks and appreciation.

**FIRE DEPARTMENT MANAGEMENT STUDY**

Fire Chief Kirkham presented a report on the Fire Department Management Study, (Full report is on file in City Clerk's Office.) Chief Kirkham said this will require a financial commitment from the Council for the next five years. Acting City Manager Muehlenbeck told Council \$135,584 will be needed as a budget amendment and the appropriations ordinance will be included on next week's agenda.

No action was taken on the ordinance included in the agenda to amend the Operating Budget by appropriating \$19,385 from the General Fund ending balance to implement recommendations of the Fire and Life Safety Report.

POLICE RETIREMENT NOMINATING AND  
ELECTION COMMITTEE

Councilmember Goodman moved that the Council adopt a resolution appointing the following members to the Police Retirement Board Nominating and Election Committee:

Lt. Alvin DeVane  
Sr. Sgt. Leonard Flores  
Sgt. Henry Vorwerk  
Officer Barbara Poke  
Officer Charles Peters

The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Urdy, Mayor McClellan,  
Mayor Pro Tem Trevino, Councilmember Deuser  
Noes: None  
Not in Council Chamber when roll was called: Councilmember Duncan

RISK MANAGEMENT

Assistant City Manager Jorge Carrasco reported on Risk Management. (Full report on file in City Clerk's Office). It is recommended that the City secure the services of a professional risk management firm.

Motion

Councilmember Mullen moved that the Council accept the report on risk management and directed the Acting City Manager to direct the staff to prepare an RFP. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Mullen, Urdy, Mayor McClellan, Mayor Pro Tem  
Trevino, Councilmember Deuser  
Noes: None  
Not in Council Chamber when roll was called: Councilmembers Duncan,  
Goodman

CAPITAL CABLE STRIKE

Bruce Hatfield, Cable Communications Coordinator, reported as follows to Council concerning the Capital Cable strike: "Last week you requested staff to undertake a legal review of the franchise agreement to determine the company's legal obligations during the strike. You also requested an assessment to determine the impact the strike would have on the company's ability to meet their rebuild schedule. The Legal Department determined

that under the terms of the franchise agreement that the company has to meet all of their obligations. The strike does not relieve the company of any of its obligations including the schedule rebuild. Therefore by July of next year the company will provide 23 channels of service or they will be subject to the penalty provisions of the franchise agreement. Council's second question focused on the ability of the company to meet the rebuild schedule and how the schedule will be effected by the strike. Basically the rebuild schedule will not be effected by the strike because the physical structure is going to be contracted out. During our negotiations they put this in their proposal."

Councilmember Urdy asked, "Can you tell at this point whether or not the actions which precipitated the strike in themselves are in violation of our agreement with them, the labor management agreement that is part of our contract." Mr. Hatfield said it is his understanding the difference between the company and the union is two issues, pay and the ability of the company to contract out certain installation type of work. "I really don't think that falls under the purvey of the fair labor policy."

Mr. James Riggs, Assistant City Attorney, told Council that there has been no determination that any law has been violated so far.

#### FUNDING STATUS AARC

Mr. Buck Apelt, Assistant Director of Human Services, reported to Council on the funding status alternatives for the Austin Association for Retarded Citizens as follows: "We had previously reported to Council on the potential funding problems experienced by the social service contractor for fiscal '82. Subsequent to that meeting we have met several times with agency representatives to discuss the problem and have concluded that the total possible funding short fall which we are looking at is something on the order of \$4,300.00. The agency presently has two grant applications working with foundations, each in the amount of \$4,400.00 which, if these come through can be used to make up the short fall. Alternatively the Board of the agency has authorized as a contingency measure the deletion of a half time position which will also take care of the funding short fall and until some word is received back on the fate of those applications from the foundations, it is our understanding the agency does not wish to request additional funding from the Council at this time. It is our recommendation to report back to Council when something certain is known about the applications." Mayor Pro Tem Trevino said he agrees with the staff recommendation.

#### No Action on Ordinance

No action was taken by Council on the ordinance before them to approve an allocation of funds to the Austin Association for Retarded Citizens.

## ZONING ORDINANCE REVISION

Mr. David Bodenman, chairman, Planning Commission, reported to Council the Commission's recommendations regarding revision of the City Zoning Ordinance as follows:

After extensive discussion, the Planning Commission unanimously recommends the following process for reviewing and implementing a new zoning ordinance:

1. Adopt a new text and map concurrently.
2. Directly translate old zoning Use District designations to equivalent new zoning Use District designations for the map.
3. Schedule a subsequent comprehensive review and remapping of the City. Decide the number and areas to review. Recommend a three-fourths vote (6-1) by City Council. Funding for this program would be included in the annual budget of the Planning Department.
4. For properties where the zoning is not changed because of an owner's objection, allow the current zoning to continue for a limited period of time, but require development of the property to comply with the new site development standards. If the property is not developed within the established period of time it would be reviewed again by the Planning Commission. If, after this second review, a zoning change is recommended Council action would be by simple majority vote even if the property owner objected.

This approach needs further review, and may need to be changed. However, an approach like this allows a property owner to develop his property within a reasonable time and still allows for more appropriate zoning to be applied in the future if the property does not develop. Then, spot zoning and other zoning problems can be corrected without the associated difficulties of a three-fourths vote.

5. Review the time schedule, and use the staff recommendations at the starting point.
6. Implement a notification process which includes tax maps and zoning maps with both existing and proposed zoning listed thereon. The cost would be approximately \$70,000 and would require additional staff.

Mayor McClellan asked why this expense was not requested at budget time. She said something should have been projected. Ms. Donna Kristoponis, Assistant Director, Planning Department told the Mayor the Department and Commission were looking at various aspects of the revision and costs, which could range between \$20,000 and \$300,000 so nothing was suggested during the budget hearings.

Motion

Councilmember Duncan made a motion, seconded by Councilmember Deuser to bring an ordinance to Council at the November 12, 1981 meeting. Motion was passed by acclamation.

**SOUTH AUSTIN TENNIS CENTER**

Mr. Leonard Ehrler, Director of Parks and Recreation, reported on the official naming of the new tennis center presently under construction at South 5th Street and Cumberland Road. He said the suggestion is to temporarily name the center the Austin Tennis Center. Two names of gentlemen prominent in the tennis field have been suggested but both men are still living. Mayor McClellan suggested the word "South" be prefixed to the name.

Motion

Councilmember Duncan moved that the Council approve South Austin Tennis Center as the name of the new tennis center at South 5th St. and Cumberland Road. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Trevino, Councilmembers  
Deuser, Duncan, Mullen, Urdy

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

**AUSTIN HISTORIC PRESERVATION PLAN**

Mr. Blake Alexander, Historic Landmark Commission, presented copies of the Austin Historic Preservation Plan to members of the Council. (COPY IS ON FILE IN CITY CLERK'S OFFICE)

## PUBLIC HEARING - STREET VACATION

Mayor McClellan opened the public hearing scheduled for 4:00 p.m. at 4:50 p.m. to consider vacating West 37th Street Alley, 900 block and passage of ordinance. (Requested by Kammerman, Yeakel and Overstreet, representing Travis Bank. (C10v-77-023)

Mr. German, Director of Public Works, told Council that the street vacation is in order. Mr. Yeakel appeared for his client. No one else appeared to be heard.

Mayor McClellan introduced the following ordinance.

AN ORDINANCE VACATING AND PERPETUALLY CLOSING THAT CERTAIN PORTION OF WEST 37TH STREET ALLEY IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT IN THE CITY FOR PUBLIC UTILITY AND CABLE TELEVISION PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Deuser moved that the Council close the public hearing, waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan, Mullen, Urdy, Mayor McClellan

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

## FEDERAL FUNDING CUTS

Councilmember Mullen introduced an item to Council concerning a proposed study to assess the total impact of federal funding cuts on the City of Austin. He said he is curious concerning the impact and thinks it should be studied.

Professor David Austin, professor, School of Social Work, University of Texas, passed out several reports and statements to Council. (REPORT ON FILE IN CITY CLERK'S OFFICE) In reply to Councilmember Mullen's question, Professor Austin stated he may need help from the staff. Mr. Muehlenbeck said a report was sent to him today.

November 4, 1981

CITY OF AUSTIN, TEXAS

ZONING NOTIFICATION

Councilmember Deuser called Council's attention to zoning notification as it appears in a Dade County, Florida newspaper. He said this would be a means of extra notification to the public concerning zoning changes being considered. Ms. Donna Kristoponis, Planning Department, said they would look into this and see if it would be feasible for Austin.

SALE OF SOUTH TEXAS NUCLEAR PROJECT

Councilmember Duncan discussed the initiation of the sale of the South Texas Nuclear Project. Mayor McClellan said as a part of the participation agreement all partners must agree on notification.

Mr. Albert DeLaRosa, Acting City Attorney, told Council the Legal Department is preparing a report concerning options available and a plan to proceed with the matter of the sale of Austin's share. They will then need direction from the Council to proceed.

ADJOURNMENT

Council adjourned its meeting at 5:06 p.m.

APPROVED

*Carol Lee McClellan*  
Mayor  
10/19/81

ATTEST:

*Grace Monroe*  
\_\_\_\_\_  
City Clerk